

CUSTOMER CLAIM

Claim Number _____

Date Received _____

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008

(Please print or type)

Name of Customer: Forecast Designs Retirement Trust c/o Kasper
Mailing Address: 32 E. 64th Street
City: New York State: NY Zip: 10021
Account No.: 1F0140
Taxpayer I.D. Number (Social Security No.): Redacted

NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.

1. Claim for money balances as of **December 11, 2008**:

- a. The Broker owes me a Credit (Cr.) Balance of \$ 0
- b. I owe the Broker a Debit (Dr.) Balance of \$ 0
- c. If you wish to repay the Debit Balance,
please insert the amount you wish to repay and
attach a check payable to "Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC."
If you wish to make a payment, **it must be enclosed**
with this claim form. \$ 0
- d. If balance is zero, insert "None." None

2. Claim for securities as of **December 11, 2008**:

PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

	<u>YES</u>	<u>NO</u>
a. The Broker owes me securities	<u>X</u>	<u> </u>
b. I owe the Broker securities	<u> </u>	<u>X</u>
c. If yes to either, please list below:		

Date of Transaction (trade date)	Name of Security	The Broker Owes Me (Long)	I Owe the Broker (Short)
See Nov. 30, 2008 F0140 statements, attached hereto as Exhibit A			
\$1,057,023.63	(market value of securities long, per F0140-3 statement)		
\$ 36,300.00	(market value of securities long, per F0140-4 statement)		
\$ (51,260.00)	(market value of securities short, per F0140-4 statement)		
Total \$1,042,063.63			

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.

See Exhibits A and B, and documents submitted herewith.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.

	<u>YES</u>	<u>NO</u>
3. Has there been any change in your account since December 11, 2008? If so, please explain.	_____	<u>X</u>
4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?	_____	<u>X</u>
5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?	_____	<u>X</u>
6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)	_____	<u>X</u>
7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.	_____	<u>X</u>
8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.	_____	<u>X</u>
9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.	_____	<u>X</u>

Please list the full name and address of anyone assisting you in the preparation of this claim form: Matthew A. Kupillas, Esq., Milberg LLP
One Pennsylvania Plaza, New York, NY 10119

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

Date March 24, 2009 Signature Herbert Kasper
Herbert Kasper, Trustee*
Date _____ Signature _____

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

**This customer claim form must be completed and mailed promptly,
together with supporting documentation, etc. to:**

Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

*Documents showing Herbert Kasper's authority to act as Trustee on behalf of claimant Forecast Designs Retirement Trust are submitted herewith as Exhibit C.

EXHIBIT A



BERNARD L. MADOFF
INVESTMENT SECURITIES LLC
New York □ London

885 Third Avenue
New York, NY 10022
(212) 230-2424
800 334-1343
Fax (212) 838-4061

Madoff Securities Interna
12 F
Mayfair, Lon
Tel

FORECAST DESIGNS RETIREMENT
TRUST
C/O KASPER
32 E 64TH STREET
NEW YORK NY 10021

PERIOD ENDING
11/30/08

08-01789-0gm

YOUR TAX PAYER IDENTIFICATION NUMBER
*****3556

YOUR ACCOUNT NUMBER
1-F0140-3-0

Doc 1047-2 Filed 12/08/09 Entered 12/08/09 16:19:58 Exhibit B -
Customer Claim Pg 6 of 18

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TIN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT CREDITED TO YOUR ACCOUNT
11/12	572		3475	BALANCE FORWARD		65,501.47
11/12	374		3977	WAL-MART STORES INC	55.830	31,956.76
11/12	1,386		7801	INTERNATIONAL BUSINESS MACHS	87.270	32,652.98
11/12	1,518		8303	EXXON MOBIL CORP	72.880	101,066.68
11/12	726		12629	INTEL CORP	14.510	22,086.18
11/12	990		16955	JOHNSON & JOHNSON	59.580	43,284.08
11/12	528		21280	J.P. MORGAN CHASE & CO	38.530	38,183.70
11/12	308		25606	COCA COLA CO	44.660	23,601.48
11/12	572		29932	MCDONALDS CORP	55.370	17,065.96
11/12	2,090		34258	NEWMAN & CO	28.550	16,352.60
11/12	1,056		38584	MICROSOFT CORP	21.810	45,665.90
11/12	418		51562	ORACLE CORPORATION	17.300	18,310.80
11/12	242		52064	PEPSICO INC	56.410	23,595.38
11/12	1,782		55888	APPLE INC	100.780	24,397.76
11/12	418		56390	PFIZER INC	16.940	30,258.08
11/12	792		60214	ABBOTT LABORATORIES	54.610	22,842.98
11/12	286		60716	PROCTER & GAMBLE CO	64.080	50,782.36
11/12	550		64540	ANGEN INC	59.160	16,930.76
11/12	1,320		65042	PHILLIP MORRIS INTERNATIONAL	43.600	24,002.00
11/12	440		68866	BANK OF AMERICA	21.590	28,550.80
11/12	1,430		69368	QUALCOMM INC	33.770	14,875.80
11/12	330		73192	CITI GROUP INC	12.510	17,946.30
11/12	792		73694	SCHLUMBERGER LTD	49.480	16,341.40
				COMCAST CORP	16.510	13,106.92
				CL A		
				CONTINUED ON PAGE 2		

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

BERNARD L. MADOFF
INVESTMENT SECURITIES LLC
New York □ London

885 Third Avenue
New York, NY 10022
(212) 230-2424
800 334-1343
Fax (212) 838-4061

Madoff Securities Intern:
121
Mayfair, Lo
Tel

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DATE	BOUGHT RECEIVED OR LOW	SOLD DELIVERED OR SHORT	TRE	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT
11/12	1,562		77518	AT&T INC	27	42,236.00
11/12	396		78020	CONOCOPHILIPS	52.510	20,808.96
11/12	264		81844	UNITED PARCEL SVC INC CLASS B	52.040	13,748.56
11/12	1,606		82346	CISCO SYSTEMS INC	16.730	26,932.38
11/12	462		86170	U S BANCORP	29.530	13,660.86
11/12	550		86672	CHEVRON CORP	73.430	40,408.50
11/12	264		90496	UNITED TECHNOLOGIES CORP	53.160	14,044.24
11/12	2,794		90998	GENERAL ELECTRIC CO	19.630	54,957.22
11/12	748		94822	VERIZON COMMUNICATIONS	30.410	22,775.68
11/12	66		95324	GOOGLE	337.400	22,270.40
11/12	924		99148	WELLS FARGO & CO NEW	29.800	27,571.20
11/12	660		99650	HEWLETT PACKARD CO	34.900	23,060.00
11/12		1,000,000	21760	U S TREASURY BILL BUE 2/12/2009	99.936	
11/12				FIDELITY SPARTAN U S TREASURY MONEY MARKET DIV 11/12/08	DIV	
11/12		23,183	16859	FIDELITY SPARTAN U S TREASURY MONEY MARKET	1	21,793.00
11/12	21,793		26228	FIDELITY SPARTAN U S TREASURY MONEY MARKET DIV 11/19/08	1	
11/19				CONTINUED ON PAGE 3	DIV	

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DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TIN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT
11/19		21,793	51589	FIDELITY SPARTAN	1	
11/19	75,000		56192	U S TREASURY MONEY MARKET U S TREASURY BILL DUE 03/26/2009	99.926	74,944.50
11/19	12,763		60628	FIDELITY SPARTAN U S TREASURY MONEY MARKET	1	12,763.00
				NEW BALANCE		126,969.53
	1,562 418 286 242 1,320 550 1,606 1,430 528 792 396 1,386 2,794			SECURITY POSITIONS AT&T INC ABBOTT LABORATORIES AMGEN INC APPLE INC BANK OF AMERICA CHEVRON CORP CISCO SYSTEMS INC CITI GROUP INC COCA COLA CO COMCAST CORP CL A CONOCOPHILIPS EXXON MOBIL CORP GENERAL ELECTRIC CO	MARK PRICE 28.560 52.390 55.540 92.670 16.250 79.010 16.540 8.290 46.870 17.340 52.520 80.150 17.170	
				CONTINUED ON PAGE 4		

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	66			GOOGLE	292.960	
	660			HEWLETT PACKARD CO	35.280	
	1,518			INTEL CORP	13.800	
	374			INTERNATIONAL BUSINESS MACHS	81.600	
	990			J.P. MORGAN CHASE & CO	31.660	
	726			JOHNSON & JOHNSON	58.580	
	308			MCDONALDS CORP	58.750	
	572			MERCK & CO	26.720	
	2,090			MICROSOFT CORP	20.220	
	1,056			ORACLE CORPORATION	16.090	
	418			PEPSICO INC	56.700	
	1,782			PFIZER INC	16.430	
	550			PHILLIP MORRIS INTERNATIONAL	42.160	
	792			PROCTER & GAMBLE CO	64.350	
	440			QUALCOMM INC	33.570	
	330			SCHLUMBERGER LTD	58.740	
	12,763			FIDELITY SPARTAN	1	
				U S TREASURY MONEY MARKET		
	462			U S BANCORP	26.980	
	264			UNITED PARCEL SVC INC	57.600	
				CLASS B		
	75,000			U S TREASURY BILL	99.971	
				DUE 03/26/2009		
				3/26/2009		
				UNITED TECHNOLOGIES CORP	48.530	
	264			CONTINUED ON PAGE 5		

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

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DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT
11/12				BALANCE FORWARD		
11/12	22		42910	S & P 100 INDEX NOVEMBER 460 CALL	15.800	
11/12			47236	S & P 100 INDEX NOVEMBER 450 PUT	17.800	39,182.00
11/19			33340	S & P 100 INDEX DECEMBER 430 CALL	26	
11/19	22		37665	S & P 100 INDEX DECEMBER 420 PUT	30	66,022.00
11/19			41990	S & P 100 INDEX NOVEMBER 460 CALL	3	6,622.00
11/19			46315	S & P 100 INDEX NOVEMBER 450 PUT	37	
				NEW BALANCE		
				SECURITY POSITIONS		
		22		S & P 100 INDEX DECEMBER 430 CALL	MKT PRICE 23.300	
	22			S & P 100 INDEX DECEMBER 420 PUT	16.500	
				MARKET VALUE OF SECURITIES		
				LONG		
				SHORT		
				36,300.00		51,260.00-

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

EXHIBIT B

EXHIBIT B

1. This Claim Form, exhibits, and supporting documentation (collectively "Claim Form") is submitted pursuant to the December 23, 2008 Order of the Honorable Burton R. Lifland and the instructions disseminated by Irving H. Picard, Trustee for Bernard L. Madoff Investment Securities LLC ("Trustee"), on December 11, 2008.
2. The information provided in the Claim Form is based on the information provided in the Claimant's latest Madoff account statement and any additional information known by the Claimant as of the date of the submission of the Claim Form. The Claimant reserves the right to amend and/or supplement this Claim Form upon the receipt of further information, or upon request by the Trustee for additional information.
3. The Claimant reserves the right to amend the Claim Form in the event of any recoveries by the Trustee or any other party under the avoidance powers of the Bankruptcy Code or otherwise, or in the event of rejections of executory contracts pursuant to Bankruptcy Code Section 365, whether such amendments are made pursuant to Bankruptcy Code Sections 105, 502(g), or 502(h), Bankruptcy Rule 3002(c)(3), (4), other provisions of applicable bankruptcy law, or general principles of law and equity.
4. The Claimant hereby requests that the Claim Form be considered as a proof of claim in *In re Bernard L. Madoff Investment Securities LLC*, No. 08-01789 (Bankr. S.D.N.Y.).
5. This Claim Form is required to be submitted pursuant to the Court's January 2, 2009 Order and the Trustee's instructions to the Claimant. To the extent permitted by the applicable law, the Claimant does not consent to the jurisdiction of the Bankruptcy Court nor does Claimant waive any right to trial by jury.
6. The Claimant reserves all rights, claims, and/or defenses as to and/or against any and all parties potentially liable for the losses sustained by the Claimant, including, without limitation, Bernard L. Madoff Investment Securities LLC and its owners, partners, employees, and affiliates, as well as any potentially liable third parties including, without limitation, investment advisors, "feeder funds," accountants, and auditors.
7. The Claimant further reserves all rights, claims, and/or defenses as to and/or against any persons and/or creditors asserting claims against Bernard L. Madoff Investment Securities LLC, its employees, owners, and/or affiliates, in bankruptcy or otherwise.
8. The Claimant reserves all objections as to the competence, relevance, materiality, privilege, or admissibility of evidence in any subsequent proceeding or trial of this or any other action for any purpose whatsoever, notwithstanding the submission of any such information to the Trustee.
9. To the extent the Claimant has disclosed to the Trustee documents containing accounting and/or legal advice, the Claimant does not waive any potential privileges applicable thereto.

10. The Claimant reserves all rights with respect to submitting information to the Internal Revenue Service regarding gains, losses, and/or theft of assets.
11. The Claim Form and supporting documents contain confidential information. The Claimant submits this information to the Trustee subject to the condition that this information will not to be disclosed to any third parties, other than under seal to the Court, absent the Claimant's express consent or Court order.
12. During the lifetime of the account, the Claimant may have contributed and/or withdrawn sums of money. The Claimant's final account balance set forth in Exhibit A takes into account any such contributions and/or withdrawals. Claimant continues to search for additional documents relating to such contributions or withdrawals and reserves the right to supplement this submission if additional documents are found.
13. The Claimant submits herewith documents in support of the Claimant's claim. The Claimant reserves any arguments that such documents are not relevant to the Trustee's inquiry. The Claimant further reserves the right to supplement this submission, including the submission of additional documents if deemed necessary. Below is a list of the documents submitted herewith:

2008

- BMIS account statements for time period ending 11/30/08.

EXHIBIT C

Forecast Designs, Inc. Retirement Trust

THIS AGREEMENT is by and between Forecast Designs, Inc., hereinafter referred to as the Sponsor, and Herbert Kasper and Elliot Schuckman, as Trustees.

This Plan and Trust, created in the United States, has been established and restated for the exclusive benefit of the Employees of the Employer, and shall be interpreted and administered in a manner consistent with the requirements of the Internal Revenue Code of 1986, as amended (hereinafter referred to as the "Code"), and the Employee Retirement Income Security Act of 1974, as amended (hereinafter referred to as "ERISA").

ARTICLE I

DEFINITIONS

The following words and phrases, when used herein with an initial capital letter, shall have the meanings set forth below unless a different meaning is implied or required by the context. Additional definitions may be contained in the Section or Article to which such definitions pertain.

1.1 **Account** - A Participant's overall Account as described in Section 5.1, which shall include all amounts attributable to Employer and Employee Contributions (if any).

1.2 **Account Balance** - Except as otherwise provided, or implied or required by the context, a Participant's total interest in the Fund based upon the value as of the Valuation Date coincident with or preceding the date of determination. For purposes of determining the amount of distribution to which the Participant, Beneficiary, or Alternate Payee is entitled, the Account Balance shall include any receivable amounts to which the Participant has become entitled as of the date of determination.

1.3 **Accrued Benefit** - Any reference to the Participant's accrued benefit under this Plan shall be interpreted to mean his or her Account Balance.

1.4 **Alternate Payee** - Has the meaning described in Section 11.3.

1.5 **Annual Additions** - The sum of the following amounts credited to a Participant's Account for the Limitation Year:

- (a) Employer Contributions described in Article III ,
- (b) Employee After-Tax Contributions (if any are authorized by Article IV),
- (c) Forfeitures,
- (d) Amounts allocated after March 31, 1984 to an individual medical account as defined in Code Section 415(l)(2), which is part of a pension or annuity plan maintained by the Employer (these amounts are treated as Annual Additions to a Defined Contribution Plan even though they arise under a Defined Benefit Plan),
- (e) Amounts derived from contributions paid or accrued after 1985, in taxable years ending after 1985, that are either attributable to post-retirement medical benefits allocated to the

**SCHEDULE P
(FORM 5500)****Annual Return of Fiduciary
of Employee Benefit Trust**

This schedule may be filed to satisfy the requirements under section 6033(a) for an annual information return from every section 401(a) organization exempt from tax under section 501(a).

Filing this form will start the running of the statute of limitations under section 6501(a) for any trust described in section 401(a) that is exempt from tax under section 501(a).

► File as an attachment to Form 5500 or 5500-EZ.

Official Use Only

OMB No. 1510-0110

2004

This Form Is Open to
Public Inspection.

Department of the Treasury
Internal Revenue Service

For trust calendar year 2004 or fiscal year beginning and ending

1a Name of trustee or custodian

HERBERT KASPER AND ELLIOT SCHUCKMAN

b Number, street, and room or suite no. (If a P.O. box, see the instructions for Form 5500 or 5500-EZ.)

32 EAST 64TH STREET

c City or town, state, and ZIP code

NEW YORK NY 10021-0000

2a Name of trust
FORECAST DESIGNS, INC. RETIREMENT TRUST (DEFINED CONTRIBUTION)

b Trust's employer identification number Redacted

3 Name of plan if different from name of trust

4 Have you furnished the participating employee benefit plan(s) with the trust financial information required to be reported by the plan(s)?

☒ Yes ☐ No

5 Enter the plan sponsor's employer identification number as shown on Form 5500 or 5500-EZ

Redacted

Under penalties of perjury, I declare that I have examined this schedule, and to the best of my knowledge and belief it is true, correct, and complete.

**SIGN
HERE**

Signature of
fiduciary

Date

For the Paperwork Reduction Notice and OMB Control Numbers,
see the instructions for Form 5500 or 5500-EZ.

v7.2

Schedule P (Form 5500) 2004

